

EXPRESS MAIL NO.: EEE 15211078US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Benjamin R. Yerxa, et al.

Art Unit: 1635

Appl. No.: 10/082,998

Examiner: Not Yet Assigned

Filed: February 27, 2002

Attorney Docket: 03678.0102.CPUS00

For: COMPOSITIONS AND
METHODS FOR TREATING
EPITHELIAL AND RETINAL
TISSUE DISEASES

**Response to Notice to File
Missing Parts of Application**

Commissioner for Patents

Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

In response to the **Notice to File Missing Parts of Application--Filing Date Granted** dated April 11, 2002, Applicant(s) submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

- Copy of the Notice to File Missing Parts;
- Original Declaration, executed by the inventor(s);
- Return postcard; and
- Our Check for \$435.00 to cover:

\$370.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)

\$65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Commissioner for Patents

May 17, 2002

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 03678.0102.CPUS00. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 03678.0102.CPUS00. A duplicate copy of this Response is enclosed.

Respectfully submitted,

Date: May 17, 2002



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/082,998 | 02/27/2002 | Benjamin R. Yerxa | 03678.0102.NPUS00 |

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CONFIRMATION NO. 3186

FORMALITIES LETTER



OC000000007852908

Date Mailed: 04/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 435.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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01 FC:201
02 FC:205

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